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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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22428	7590	05/05/2005	EXAMINER	
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			RIES, LAURIE ANNE	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/026,773	Applicant(s) ROZEK ET AL.	
	Examiner Laurie Ries	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 18, 20-36, 38 and 40-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18, 20-36, 38 and 40-48 is/are rejected.
- 7) ☒ Claim(s) 38 and 40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This action is responsive to communications: amendment, filed 5 January 2005, to the original application filed 27 December 2001.

The objection to the specification has been withdrawn as necessitated by amendment.

Claims 1-16, 18, 20-36, 38, and 40-48 are pending. Claims 17, 19, 37, and 39 have been cancelled. Claims 1, 21, 41, and 45 are independent claims.

Response to Arguments

Applicant's arguments, see amendment, filed 5 January 2005, with respect to the rejection(s) of claim(s) 1-48 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of 35 U.S.C. 103(a).

Claim Objections

Claims 38 and 40 are objected to because of the following informalities: Claims 38 and 40 are directed to a computer readable medium and are presented as being dependent upon claim 20, which is directed to a method. For the purpose of further examination it is assumed that claims 38 and 40 should be dependent upon claim 21 rather than claim 20.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-4, 6-12, 15-16, 18, and 20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding independent claim 1, the language of this claim merely describes non-functional descriptive material. As such, this raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine, which would result in a practical application producing a concrete, useful and tangible result to form the basis of statutory subject matter under 35 USC 101.

One technique for satisfying the requirements of 35 USC 101 is to claim code residing in memory (i.e., hardware), wherein that code produces a tangible result.

Claims 2-4, 6-12, 15-16, 18 and 20 are dependent upon claim 1, and do not add any limitations that would render the claims statutory under 35 USC 101. Therefore, these claims are likewise rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 7-16, 18, 20-23, 27-36, 38, 40-42, and 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eck (U.S. Publication 2002/0129059 A1) in view of Myllymaki ("Effective Web Data Extraction with Standard XML Technologies").

As per claims 1 and 21, Eck discloses a computer readable medium on a computer system and a method for translating between an XML-type document and a first type of document, in the form of a flat file, including generating a data model for the XML-type document based on an XML data source (See Eck, Page 4, paragraph 0075), and generating a data model for the first type of document based on the XML data source (See Eck, Page 4, paragraph 0075). Eck does not disclose expressly that mapping rules are created between the data model for the XML-type document and the data model for the first type of document and verifying that the XML-type document is well-formed based upon the data model for the XML-type document. Myllymaki discloses the creation of mapping rules between an XML type document and a first type of document. (See Myllymaki, Page 690, Column 1, paragraph 2, lines 5-14). Myllymaki also discloses verifying that the XML-type document is well-formed (See Myllymaki, Page 691, Column 1, Section 3.2, lines 4-11). Eck and Myllymaki are analogous art because they are from the same field of endeavor of translating documents from one format to another. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the mapping rules and verification of syntax of Myllymaki with the file translation method of Eck. The

motivation for doing so would have been to help with subsequent data extraction steps. (See Myllymaki, Page 691, Section 3.2, lines 5-10). Therefore, it would have been obvious to combine Myllymaki with Eck for the benefit of simplifying subsequent data extraction steps to obtain the invention as specified in claims 1 and 21.

As per claims 2 and 22, Eck and Myllymaki disclose the limitations of claims 1 and 21 as described above. Eck also discloses creating an executable file to effect the translation between the XML-type document and the first type of document based on the data model for the XML-type document, the data model for the first type of document, and the mapping rules, and running the executable file to translate between the XML-type document and the first type of document. (See Eck, Page 1, paragraph 0003).

As per claims 3 and 23, Eck and Myllymaki disclose the limitations of claims 1 and 21 as described above. Eck also discloses translating test data based on the data model for the XML-type document, the data model for the first type of document, and the mapping rules (See Eck, Page 1, paragraph 0005), and verifying the propriety of the data model for the XML-type document, the data model for the first type of document and the mapping rules based on the result of the translation (See Eck, Page 6-7, paragraphs 0117-0132).

As per claims 7 and 27, Eck and Myllymaki disclose the limitations of claims 1 and 21 as described above. Eck also discloses receiving an indication of the direction of the translation (See Eck, Page 4, paragraph 0065, and Figure 5).

As per claims 8 and 28, Eck and Myllymaki disclose the limitations of claim 1 as described above. Eck also discloses including receiving an indication of the identity of the XML data source (See Eck, Figure 5).

As per claims 9 and 29, Eck and Myllymaki disclose the limitations of claims 1 and 21 as described above. Eck also discloses that the XML data source is an XML Schema Definition (XSD) (See Eck, Page 1, paragraph 0019).

As per claims 10 and 30, Eck and Myllymaki disclose the limitations of claims 9 and 29 as described above. Eck also discloses providing a model for numerics in the XSD (See Eck, Page 6, paragraph 0117).

As per claims 11 and 31, Eck and Myllymaki disclose the limitations of claims 9 and 29 as described above. Eck also discloses providing a model for grouping and pattern definitions in the XSD (See Eck, Page 5, paragraphs 0088 and 0090).

As per claims 12 and 32, Eck and Myllymaki disclose the limitations of claims 9 and 29 as described above. Eck also discloses providing a model for field lengths (See Eck, Page 5, paragraph 0087) and value ranges (See Eck, Page 4, paragraph 0076).

As per claims 13 and 33, Eck and Myllymaki disclose the limitations of claims 1 and 21 as described above. Eck also discloses creating a map component file, which identifies the data models for the XML-type document, and the first type of document (See Eck, Page 6, paragraphs 0113-0114), and where running the executable file includes referencing the map component file to perform the translation (See Eck, Page 6, paragraph 0115).

As per claims 14 and 34, Eck and Myllymaki disclose the limitations of claims 1 and 21 as described above. Eck also discloses receiving an indication of the identity of the XML-type document to be translated (See Eck, Figure 5).

As per claims 15 and 35, Eck and Myllymaki disclose the limitations of claims 1 and 21 as described above. Eck also discloses validating that the translation between the XML-type document and the first type of document is accurate (See Eck, Pages 6-7, paragraphs 0117-0132).

As per claims 16 and 36, Eck and Myllymaki disclose the limitations of claims 15 and 35 as described above. Eck also discloses receiving an indication of how to perform the validation (See Eck, Page 7, paragraph 0123).

As per claims 18 and 38, Eck and Myllymaki disclose the limitations of claims 1 and 21 as described above. Eck also discloses that the checking includes determining that each element in the XML-type document has start and end tags with the same label (See Eck, Page 7, paragraphs 0126-0127).

As per claims 20 and 40, Eck and Myllymaki disclose the limitations of claims 15 and 35 as described above. Eck also discloses that the validation also includes determining that elements in the XML-type document are in the correct order (See Eck, Page 6, paragraph 0113), determining that the XML-type document includes any specified mandatory elements (See Eck, Page 7, paragraph 0131), determining if data types in the XML-type document are proper (See Eck, Page 7, paragraph 0123), and determining if the format of a value in a field in the XML-type document is proper (See Eck, Page 7, paragraph 0128).

As per claims 41 and 45, Eck and Myllymaki disclose the limitations of claim 1 as described above. Eck also discloses a computer system for translating between an XML-type document and a first type of document including a processor, and a memory, coupled to the processor, including a number of instructions executed by the processor configured to perform the functionality disclosed in claim 1. (See Eck, Figure 2, and Page 2, paragraph 0037).

Claims 42 and 46 are rejected on the same basis as claim 2.

Claims 4, 24, 43, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eck (U.S. Publication 2002/0129059 A1) in view of Myllymaki ("Effective Web Data Extraction with Standard XML Technologies") as applied to claims 1, 21, 41, and 45 above, and further in view of Webber (U.S. Patent 6,418,400 B1).

As per claims 4 and 24, Eck and Myllymaki disclose the limitations of claims 1 and 21 as described above. Eck also discloses modifying the data model for the first type of document to conform to a format associated with the first type of document (See Eck, Page 6, paragraph 0111). Eck and Myllymaki do not disclose expressly modifying the mapping rules based on the modification of the data for the first type of document. Webber discloses modifying mapping rules using a Modify mode (See Webber, Column 7, lines 62-67, and Column 8, lines 1-6). Eck, Myllymaki and Webber are analogous art because they are from the same field of endeavor of mapping electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the modification of mapping rules of Webber with the system and method of

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Eck and Myllymaki. The motivation for doing so would have been to allow the user to create rules used for data validation (See Webber, Column 8, lines 7-9). Therefore it would have been obvious to combine Webber with Eck and Myllymaki for the benefit of allowing the modification of mapping rules for testing purposes to obtain the invention as specified in claims 4 and 24.

Claims 43 and 47 are rejected on the same basis as claim 4.

Claims 5 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eck (U.S. Publication 2002/0129059 A1) in view of Myllymaki ("Effective Web Data Extraction with Standard XML Technologies") Webber (U.S. Patent 6,418,400 B1) as applied to claims 4 and 24 above, and further in view of Huang (U.S. Publication 2002/0147748 A1).

As per claims 5 and 25, Eck, Myllymaki and Webber disclose the limitations of claims 4 and 24 as described above. Eck, Myllymaki and Webber do not disclose expressly adjusting the data model for the first type of document to conform with an import utility of an application associated with the first type of document. Huang discloses using an import utility to edit associated meta-tag information for a file. (See Huang, Page 5, paragraph 0069). Eck, Myllymaki, Webber and Huang are analogous art because they are from the same field of endeavor of translating electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the use of an import utility program of Huang with the system and method of Eck, Myllymaki and Webber. The motivation for doing so would have been to allow

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for simple creation of a file (See Huang, Page 5, paragraph 0069). Therefore, it would have been obvious to combine Huang with Eck, Myllymaki, and Webber for the benefit of easily creating the file to obtain the invention as specified in claims 5 and 25.

Claims 6, 26, 44, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eck (U.S. Publication 2002/0129059 A1) in view of Myllymaki ("Effective Web Data Extraction with Standard XML Technologies") as applied to claims 1, 21, 41, and 45 above, and further in view of De La Huerga (U.S. Patent 6,516,321 B1).

As per claims 6 and 26, Eck and Myllymaki disclose the limitations of claims 1 and 21 as described above. Eck and Myllymaki do not disclose expressly omitting formatting that is present in the data model for the XML-type document. De La Huerga discloses removing all XML tags from a document. (See De La Huerga, Column 27, line 21). Eck, Myllymaki, and De La Huerga are analogous art because they are from the same field of endeavor of processing electronic data. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the omission of XML tags of De La Huerga with the system and method of Eck and Myllymaki. The motivation for doing so would have been to ensure that tag enabled applications do not reference incorrect information from the data (See De La Huerga, Column 27, lines 26-27). Therefore, it would have been obvious to combine De La Huerga with Eck and Myllymaki for the benefit of providing accurate data to obtain the invention as specified in claims 6 and 26.

Claims 44 and 48 are rejected on the same basis as claim 6.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Rudraraju (U.S. Publication 2002/0111876 A1) discloses a transaction aggregation system and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Field, can be reached on (571) 272-4090.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR


JOSEPH FIELD
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